

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

109

CR-6538 of 2017(O&M)
Date of decision: 04.08.2022

Managing Director The Gawad Construction Co. Ltd. and another

..Petitioners

Versus

Depender Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Kamal Mor, Advocate,
for the petitioners.

Mr. Madan Pal, Advocate and
Mrs. Neeraj, Advocate
for respondent no.1 and 3.

ANIL KSHETARPAL, J(Oral)

In view of the judgment passed by the Supreme Court in *Sri Ratnavaramaraja vs Smt. Vimla, AIR 1961 SC 1299*, a revision petition filed by the defendants while objecting to deficiency in payment of the Court fee on the plaint is not maintainable. It has been held that the defendant has a right to object to the maintainability of the plaint on account of deficiency in court fee before the trial Court but the same cannot be assailed either in appeal or in revision petition.

Hence, dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

August 04, 2022

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(ANIL KSHETARPAL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>